

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM**

RECEIVED

MAR 20 2026

CIVIL CASE NUMBER: 79576

Claim ID: 11-2115

Date Received: 3.20.26

Receipt No: P002209

Claim Fee: \$78- By: BW

IDWR/Preston

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of claimant(s) Montpelier Irrigation Company Phone (208) 390-3349
Mailing address c/o Donna Anderson, Secretary, 135 S. 3rd Street, Montpelier, Idaho Zip 83254
Street or Box City State
Email address (optional) Jed8850@gmail.com
2. Date of priority: (Only one per claim) March 24, 1958 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Yeaman Creek
which is tributary to (b) Montpelier Creek
4. a. Location of point of diversion is: Township 12S, Range 45E, Section 15,
SW 1/4 of SE 1/4, Govt. Lot _____, BM, County of Bear Lake County
Parcel no. No Parcel Number
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Water is diverted with a canvas or plastic dam into ditch about 6" wide and 6" deep.

SCANNED

MAR 20 2026

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)
For Irrigation purposes from 04/01 to 11/01 amount 0.54 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.54 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	45E	15			0.6	3.4									14.5	0.1		8.6	27.2

Parcel no(s). 12S45E150000 and 12S45E150000

Total number of acres irrigated 27.2

10. In which county(ies) are lands listed above as place of use located? Bear Lake County

11. Do you own the property listed above as place of use? Yes () No (☒)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks (Include an explanation of the priority date selected):

Priority date is based on Idaho license no. 11-2115. Claimant has authority to claim this water right per an agreement made in or around 1960 with the successors of Edith Wuthrich where the water right was exchanged for stock in Montpelier Irrigation Company.

List of Attachments:

1. IDWR Water Right Report 11-2115

2. IDWR Map 11-2115

3. Map of current POU & POD

Name of claimant(s) Montpelier Irrigation Company

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice (✓) License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-2115

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

President _____ of Montpelier Irrigation Company
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 03/18/26
Jed Woolstenhulme (Mar 18, 2026 11:24:25 MDT)

Printed Name of Authorized Agent Jed Woolstenhulme

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Thomas J. Budge, Attorney, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature  Date 3/18/2026

Address P.O. Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

Name of claimant(s) Montpelier Irrigation Company Claim ID _____

HOW YOU WILL RECEIVE NOTICES IN THE BEAR RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Bear River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Bear River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Bear River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Bear River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

<http://www.srba.idaho.gov/BRBA20.HTM>

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Bear River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Bear River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site <http://www.idwr.idaho.gov/> for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

Water Right Report : 11-2115(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	WUTHRICH, EDITH		MONTPELIER	ID	83254

Water Right Status

Priority Date : 3/24/1958
 Basis : License
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
YEAMAN CREEK		MONTPELIER CREEK	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
YEAMAN CREEK	12S	45E	15	0				SW SE BEAR LAKE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	/	/	1.00 CFS	
DOMESTIC	/	/		
TOTAL			1.00 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (BEAR LAKE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
12S	45E	15		NE	NE		13.0
12S	45E	15		SE	NE		10.0
12S	45E	15		NE	SE		19.0
12S	45E	15		SE	SE		8.0

Irrigation Totals

Total Acres Acre Limit
 50.00

Dates

Licensed Date : 10/5/1959
 Decreed Date :
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date:
 Protest Deadline Date:

Other Information

State or Federal :
 Water District Number : 11H
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

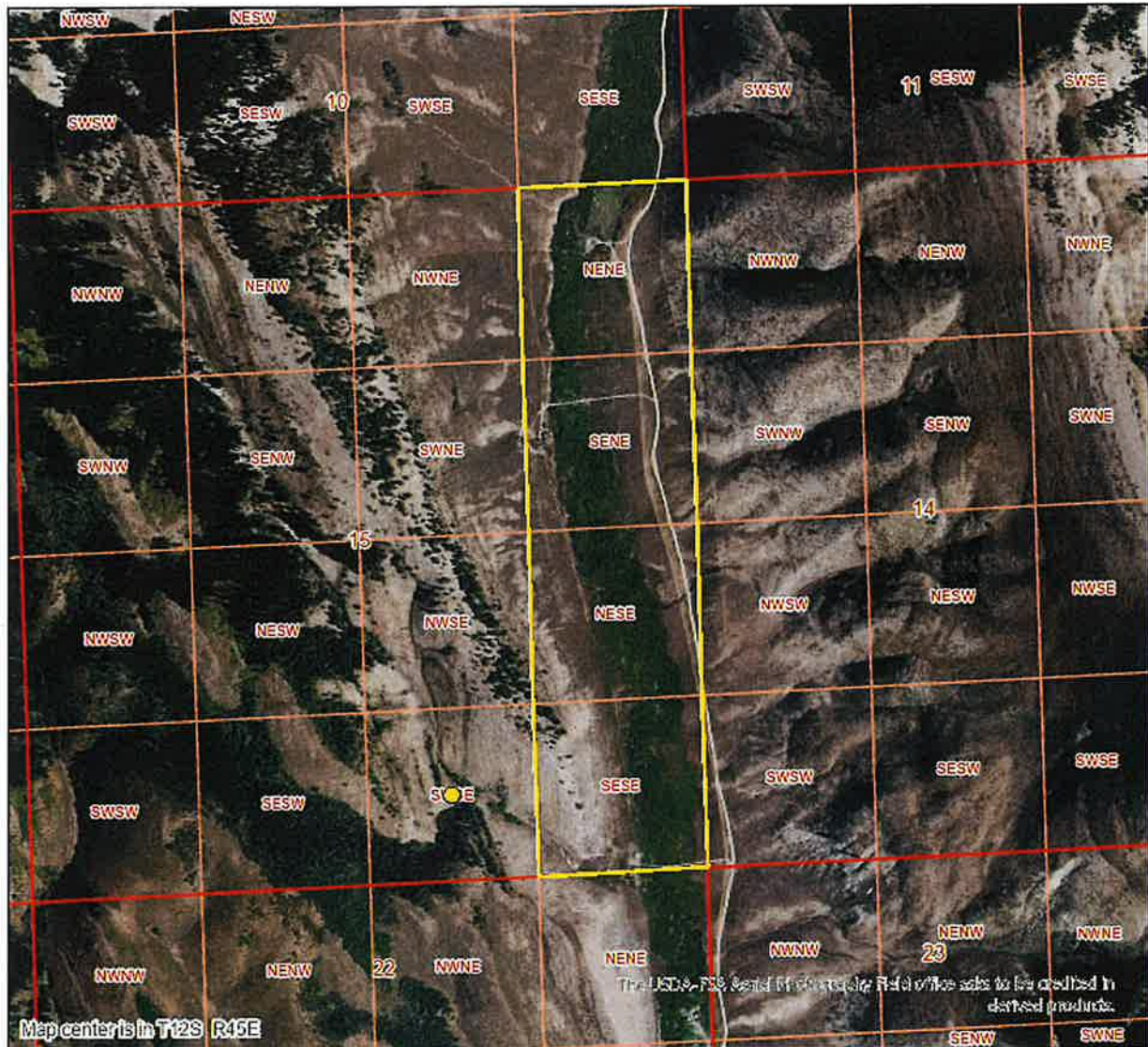
State of Idaho
Department of Water Resources

Water Right

11-2115

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 5/12/2028

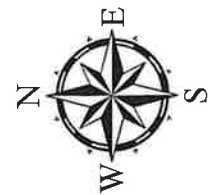


Montpelier Irrigation Company

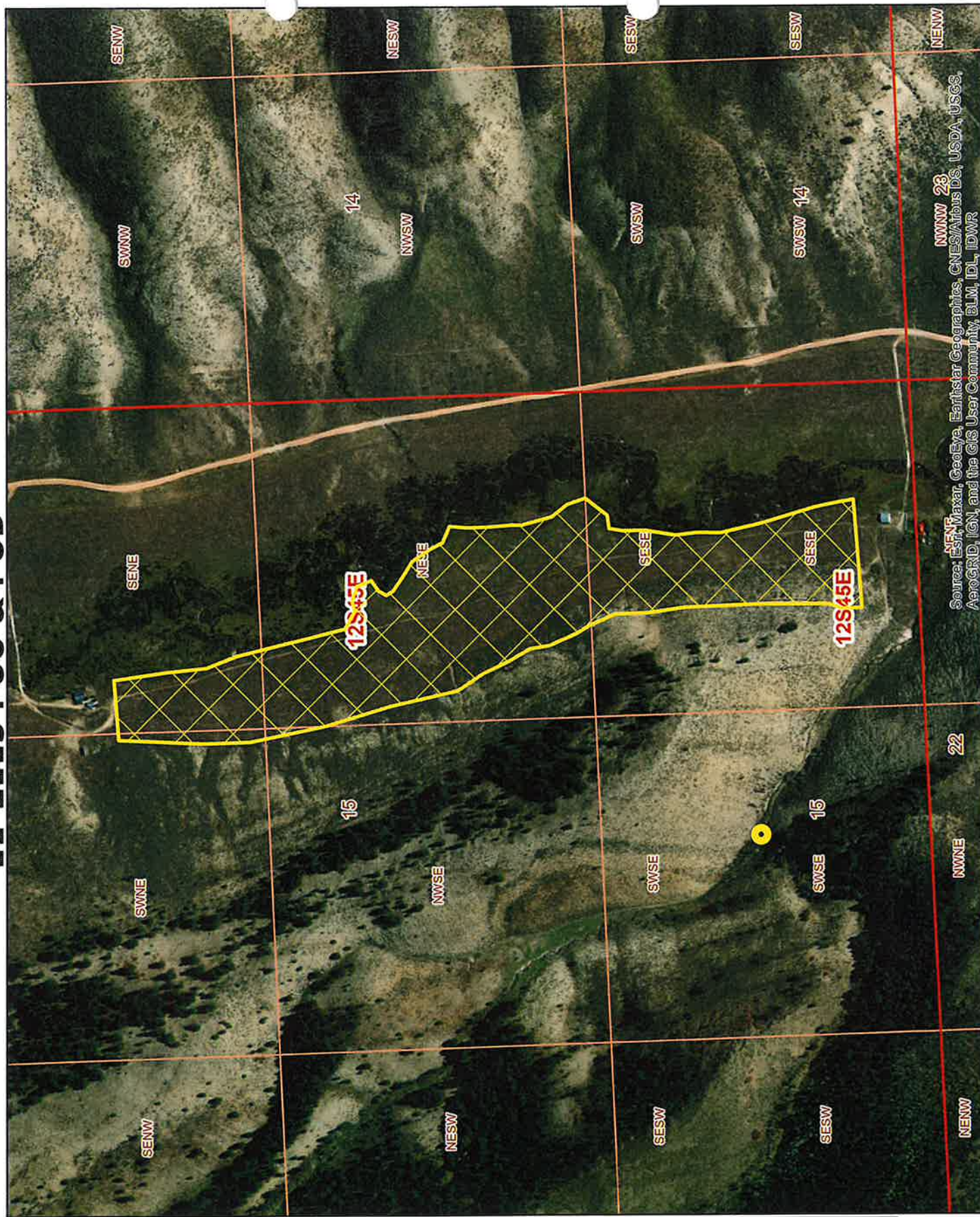
Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion





Montpelier Irrigation Company 11-2115 POU & POD



Legend

- 11-2115 POD
- 11-2115 POU
- Pls Township And Range
- Townships
- PLS Sections
- Quarter Quarters



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, DWR



March 19, 2026

Brian Wunsch
Senior Water Resource Agent
Idaho Dept. of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
brian.wunsch@idwr.idaho.gov
marion.beck@idwr.idaho.gov

Sent via Email and U.S. Mail

**Re: Montpelier Irrigation Company
Notices of Claims to Water Rights
Bear River Basin Adjudication**

RECEIVED
MAR 20 2026
IDWR/Preston

Dear Brian:

This letter responds to your February 26, 2026, correspondence regarding the water right claims filed on behalf of Montpelier Irrigation Company ("Company") in the Bear River Basin Adjudication.

Response to Issues No. 1 and No. 2

In response to Issues No. 1 and No. 2 identified in your letter, the Company has determined that the claimed place of use (POU), source, and point of diversion (POD) located above the Montpelier Reservoir can be removed from the claims filed previously. Accordingly, the Company is amending those claims, as discussed below.

The diversion and use above Montpelier Reservoir is associated with a separate water right (11-2115) owned by the Company. Enclosed herewith is a notice of claim for water right no. 11-2115 and a check in the amount of \$78 (\$50 flat fee + \$1.00 per acre x 28 additional acres = \$78) for the filing fee.

Response to Issues No. 3 and No. 4

In response to Issues No. 3 and No. 4, the Company is filing amended claims for the following water rights: 11-1015, 11-1018, 11-1019, 11-1020, 11-1021, 11-1022, 11-1023, 11-1024, 11-1025, 11-1034, 11-1036, 11-1037, 11-1038, 11-1039, 11-1040, 11-9319, 11-9321, 11-9328, 11-9329, 11-9342, and 11-2159.

These amended claims make the following corrections and clarifications:

1. The claimed POD and POU located above Montpelier Reservoir have been removed from each claim, as discussed above.
2. The POD located at the south end of the Montpelier Reservoir in T12S, R45E, Section 27 has been added to the supplemental point of diversion sheet. This POD was shown on the map but inadvertently omitted from the supplemental POD sheet in the original claims.

3. The location of the two PODs in T13S, R44E, Section 2 has been corrected to SENE, which matches the location identified in attached POD description and map. The original claims inadvertently identified these PODs as being in the NESE.
4. The total irrigated acres of the Company have also been corrected to remove the acreage located in the POU above Montpelier Reservoir.

The Company believes these amendments resolve the concerns identified in your letter. Please let us know if the Department has any questions or requires any additional information or clarification.

Sincerely,



T. J. BUDGE

Enclosure

c: Montpelier Irrigation Company